

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

1-43. (cancelled)

44. (currently amended) A method of preparing a dairy product in a production line comprising:

introducing by continuous injection, via the production line, at least one sterol ester and/or stanol ester into a dairy composition to obtain a mixture, said sterol ester and/or stanol ester being at a temperature  $T_1$ , higher than or equal to the melting temperature of said sterol ester and/or stanol ester and ranging from 35 to 80°C, and said dairy composition having a temperature  $T_2$  at least equal to  $T_1$ , wherein,

said sterol ester and/or stanol ester is introduced without thickener and without emulsifier,

said dairy composition is obtained by treating a milk-based initial composition containing milk proteins and is without emulsifier, and

introducing of said sterol ester and/or stanol ester takes place before homogenizing said mixture.

45. (currently amended) The method according to claim 44, wherein said sterol ester and/or stanol ester is introduced at a temperature  $T_1$  ranging from 40 to 70°C.

46. (currently amended) The method according to claim 44, further comprising

treating said milk-based initial composition by preheating at a temperature of approximately 50°C to approximately 70° to obtain said dairy composition, said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C; and

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester into said dairy composition.

47. (currently amended) The method according to claim 44, further comprising:

heating said dairy composition prior to introducing said sterol ester and/or stanol ester to obtain a temperature  $T_2$  of approximately 85°C to approximately 100°C; and

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition.

48. (currently amended) The method according to claim 44, further comprising:

heating said dairy composition to obtain a temperature  $T_2$  of approximately 85°C to approximately 100°C;

holding said mixture obtain from introducing said sterol ester and/or stanol ester into said dairy composition for a period of time to obtain a held mixture, said period of time being sufficient to maintain said dairy composition at said temperature  $T_2$  to destroy vegetative microbial flora; and

homogenizing said held mixture.

49. (currently amended) The method according to claim 44, further comprising:

treating said initial milk-based composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition, said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture; and

holding said heated homogenized mixture.

50. (currently amended) The method according to claim 44, comprising:

treating said milk-based initial composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition; said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture; and, optionally,

~~smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and~~

~~said protein network, and exhibiting no phase difference between  
said aqueous phase and said protein network.~~

51. (currently amended) The method according to claim  
44, further comprising

treating said milk-based initial composition by  
preheating to a temperature of approximately 50°C to  
approximately 70°C to obtain said dairy composition; said dairy  
composition having a temperature  $T_2$  of approximately 50°C to  
approximately 70°C;

homogenizing said mixture obtained from introducing  
said sterol ester and/or stanol ester to said dairy composition  
at a pressure of approximately 100 bars to approximately 280 bars  
to obtain a homogenized mixture;

heating said homogenized mixture at a heating  
temperature of approximately 85°C to approximately 100°C to  
obtain a heated homogenized mixture;

holding said heated homogenized mixture to obtain a  
heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to  
a temperature of approximately 30°C to approximately 47°C to  
obtain a fermented mixture; ~~and, optionally,~~

~~smoothing said fermented mixture to obtain a final  
white mass, comprising an aqueous phase, a protein network, and a  
fatty phase, said fatty phase corresponding to said ester,~~

~~included by said homogenizing in said protein network formed by  
said milk proteins and milk of said dairy composition, said final  
white mass exhibiting a homogeneity between said fatty phase and  
said protein network, and exhibiting no phase difference between  
said aqueous phase and said protein network; and~~

~~adding a fruit preparation without sterol and/or stanol  
to said final white mass.~~

52. (currently amended) The method according to claim  
44, further comprising:

treating said milk-based initial composition by  
preheating to a temperature of approximately 50°C to  
approximately 70°C to obtain said dairy composition; said dairy  
composition having a temperature  $T_2$  of approximately 50°C to  
approximately 70°C;

homogenizing said mixture obtained from introducing  
said sterol ester and/or stanol ester to said dairy composition  
at a pressure of approximately 100 bars to approximately 280 bars  
to obtain a homogenized mixture;

heating said homogenized mixture at a heating  
temperature of approximately 85°C to approximately 100°C to  
obtain a heated homogenized mixture;

holding said heated homogenized mixture to obtain a  
heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture; ~~and, optionally,~~

~~smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and~~

~~adding a cereal composition without sterol and/or stanol to said final white mass.~~

53. (currently amended) The method according to claim 44, further comprising:

treating said milk-based initial composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition; said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture; ~~and, optionally,~~

~~smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and~~

~~adding a fruit preparation without sterol and/or stanol to the final white mass, said fruit preparation comprising a thickener selected from the group consisting of xanthan gum, pectin, starch, gelan gum, cellulose and its derivatives, guar gum, carob gum, and inulin, said thickeners being approximately present in a concentration of 0.4% to approximately 3% of said fruit preparation.~~



54. (currently amended) The method according to claim 44, further comprising:

treating said milk-based initial composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition; said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture for a duration of approximately 4 minutes to approximately 10 minutes to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture; ~~and, optionally,~~

~~smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final~~

~~white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network.~~

55. (currently amended) The method according to claim 44, further comprising:

treating said milk-based initial composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition; said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture for a duration of approximately 4 minutes to approximately 10 minutes to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture~~+~~

~~smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and~~

~~adding a cereal composition without sterol and/or stanol to said final white mass.~~

56. (currently amended) The method according to claim 44, further comprising:

treating said milk-based initial composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition; said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture for a duration of approximately 4 minutes to approximately 10 minutes to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture;

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and

adding a fruit preparation without sterol and/or stanol to said final white mass.

57. (currently amended) The method according to claim 44, further comprising:

treating said milk-based initial composition by preheating to a temperature of approximately 50°C to approximately 70°C to obtain said dairy composition; said dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

homogenizing said mixture obtained from introducing said sterol ester and/or stanol ester to said dairy composition at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture for a duration of approximately 4 minutes to approximately 10 minutes to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture to a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture;

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and

adding a fruit preparation without sterol and/or stanol to said final white mass, said fruit preparation comprising a thickener selected from the group consisting of xanthan gum,

pectin, starch, gelan gum, cellulose and its derivatives, guar gum, carob gum, and inulin, said thickeners being approximately present in a concentration of 0.4% to approximately 3% of said fruit preparation.

58. (previously presented) The method according to claim 44, wherein said milk-based initial composition comprises milk, milk powder, milk proteins and an agent in a concentration sufficient to limit syneresis, said agent being selected from the group consisting of alginates, maltodextrins, pectins, soluble fibres, starch and inulin.

59. (currently amended) The method according to claim 44, wherein said sterol ester and/or stanol ester is selected from the group consisting of: 22-dihydroergosterol, 7.24(28)-ergostadienol, campesterol, neospongosterol, 7-ergosterol, cerebisterol, corbisterol, stigmasterol, focosterol,  $\alpha$ -spinasterol, sargasterol, 7-dehydrocryonasterol, poriferasterol, chondrillasterol,  $\beta$ -sitosterol, cryonasterol ( $\gamma$ -sitosterol), 7-stigmasternol, 22-stigmastenol, dihydro- $\gamma$ -sitosterol,  $\beta$ -sitostanol, 14-dehydroergosterol, 24(28)-dehydroergosterol, ergosterol, brassicasterol, ascosterol, episterol, fecosterol and 5-dihydroergosterol, and mixtures thereof.

60. (currently amended) The method according to claim 44, wherein said sterol ester and/or stanol ester is introduced at a first flow rate and said milk-based initial composition is at a second flow rate, and the ratio of said first flow rate to said second flow rate ranges from approximately 0.5 to approximately 3.

61. (currently amended) A product, being presented in the form of a firm natural yogurt product, obtained according to the method of claim 44, wherein said method comprises:

treating a milk-based initial composition, containing milk proteins and without emulsifier at a of approximately 50°C to approximately 70°C to obtain a dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;

introducing into said dairy composition at least one sterol ester and/or stanol ester at a temperature  $T_1$ , in order to obtain a mixture;

homogenizing said mixture at a pressure of approximately 100 bars to approximately 280 bars to obtain a homogenized mixture;

heating said homogenized mixture at a heating temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture;

holding said heated homogenized mixture for a duration of approximately 4 minutes to approximately 10 minutes to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture at a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture; and, optionally

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network.

62. (currently amended) A product, being presented in the form of a stirred natural or fruit yogurt or drinking yogurt, said product being as obtained according to the method of claim 44, wherein said method comprises:

treating a milk-based initial composition, containing milk proteins and without emulsifier at a of approximately 50°C to approximately 70°C to obtain a dairy composition having a temperature  $T_2$  of approximately 50°C to approximately 70°C;



introducing into said dairy composition of at least one sterol ester and/or stanol ester, without thickener and without emulsifier, at a temperature  $T_1$ , in order to obtain a mixture;

homogenizing said mixture at a pressure of approximately 100 bars to approximately 280 bars;

heating said homogenized mixture at a temperature of approximately 85°C to approximately 100°C to obtain a heated homogenized mixture; and

holding said heated homogenized mixture for a duration of approximately 4 minutes to approximately 10 minutes to obtain a heated and homogenized held mixture;

fermenting said heated and homogenized held mixture at a temperature of approximately 30°C to approximately 47°C to obtain a fermented mixture; and

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and

adding a fruit preparation without sterol and/or stanol to said final white mass.

63. (currently amended) A product as obtained according to the method according to claim 44, comprising approximately 0.1% to approximately 3% sterol ester and/or stanol ester.

64. (new) The method according to claim 50, further comprising:

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network.

65. (new) The method according to claim 51, further comprising:

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting

no phase difference between said aqueous phase and said protein network; and

adding a fruit preparation without sterol and/or stanol to said final white mass.

66. (new) The method according to claim 52, further comprising:

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network; and

adding a cereal composition without sterol and/or stanol to said final white mass.

67. (new) The method according to claim 53, further comprising:

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said

protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network;

adding a cereal composition without sterol and/or stanol to said final white mass; and

adding a fruit preparation without sterol and/or stanol to the final white mass, said fruit preparation comprising a thickener selected from the group consisting of xanthan gum, pectin, starch, gelan gum, cellulose and its derivatives, guar gum, carob gum, and inulin, said thickeners being approximately present in a concentration of 0.4% to approximately 3% of said fruit preparation.

68. (new) The method according to claim 54, further comprising:

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network.

69. (new) The method according to claim 55, further comprising:

smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network.

70. (new) The product according to claim 61 wherein the method further comprises smoothing said fermented mixture to obtain a final white mass, comprising an aqueous phase, a protein network, and a fatty phase, said fatty phase corresponding to said sterol ester and/or stanol ester, included by said homogenizing in said protein network formed by said milk proteins and milk of said dairy composition, said final white mass exhibiting a homogeneity between said fatty phase and said protein network, and exhibiting no phase difference between said aqueous phase and said protein network.